

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

S. 2340

To improve the safety and security of the Federal judiciary.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Daniel Anderl Judicial
5 Security and Privacy Act of 2021”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Members of the Federal judiciary perform
9 the important function of interpreting the Constitu-
10 tion of the United States and administering justice
11 in a fair and impartial manner.

12 (2) In recent years, partially as a result of the
13 rise in the use of social media and online access to

1 information, members of the Federal judiciary have
2 been exposed to an increased number of personal
3 threats in connection to their role. The ease of ac-
4 cess to free or inexpensive sources of covered infor-
5 mation has considerably lowered the effort required
6 for malicious actors to discover where individuals
7 live and where they spend leisure hours and to find
8 information about their family members. Such
9 threats have included calling a judge a traitor with
10 references to mass shootings and serial killings, call-
11 ing for an “angry mob” to gather outside a home of
12 a judge and, in reference to a judge on the court of
13 appeals of the United States, stating how easy it
14 would be to “get them”.

15 (3) Between 2015 and 2019, threats and other
16 inappropriate communications against Federal
17 judges and other judiciary personnel increased from
18 926 in 2015 to approximately 4,449 in 2019.

19 (4) Over the past decade, several members of
20 the Federal judiciary have experienced acts of vio-
21 lence against themselves or a family member in con-
22 nection to their Federal judiciary role, including the
23 murder in 2005 of the family of Joan Lefkow, a
24 judge for the United States District Court for the
25 Northern District of Illinois.

1 (5) On Sunday July 19, 2020, an assailant
2 went to the home of Esther Salas, a judge for the
3 United States District Court for the District of New
4 Jersey, impersonating a package delivery driver,
5 opening fire upon arrival, and killing Daniel Anderl,
6 the 20-year-old only son of Judge Salas, and seri-
7 ously wounding Mark Anderl, her husband.

8 (6) In the aftermath of the recent tragedy that
9 occurred to Judge Salas and in response to the con-
10 tinuous rise of threats against members of the Fed-
11 eral judiciary, there is an immediate need for en-
12 hanced security procedures and increased availability
13 of tools to protect Federal judges and their families.

14 (b) PURPOSE.—The purpose of this Act is to improve
15 the safety and security of Federal judges, including senior,
16 recalled, or retired Federal judges, and their immediate
17 family to ensure Federal judges are able to administer jus-
18 tice fairly without fear of personal reprisal from individ-
19 uals affected by the decisions they make in the course of
20 carrying out their public duties.

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

23 (1) AT-RISK INDIVIDUAL.—The term “at-risk
24 individual” means—

25 (A) a Federal judge; or

1 (B) a senior, recalled, or retired Federal
2 judge.

3 (2) COVERED INFORMATION.—The term “cov-
4 ered information” means—

5 (A) a home address, including primary res-
6 idence or secondary residences;

7 (B) a home or personal mobile telephone
8 number, or the direct telephone number of a
9 Government-issued cell phone or private exten-
10 sion in the chambers of an at-risk individual;

11 (C) a personal email address;

12 (D) the social security number, driver’s li-
13 cense number, or home address displayed on
14 voter registration information;

15 (E) a bank account or credit or debit card
16 information;

17 (F) the home or other address displayed on
18 property tax records or held by a Federal,
19 State, or local government agency of an at-risk
20 individual, including a secondary residence and
21 any investment property at which an at-risk in-
22 dividual resides for part of a year;

23 (G) a license plate number or home ad-
24 dress displayed on vehicle registration informa-
25 tion;

1 (H) the identification of children of an at-
2 risk individual under the age of 18;

3 (I) the full date of birth;

4 (J) a photograph of any vehicle that legibly
5 displays the license plate or a photograph of a
6 residence that legibly displays the address of
7 the residence;

8 (K) the name and address of a school or
9 day care facility attended by immediate family;
10 or

11 (L) the name and address of an employer
12 of immediate family.

13 (3) DATA BROKER.—

14 (A) IN GENERAL.—The term “data
15 broker” means a commercial entity engaged in
16 collecting, assembling, or maintaining personal
17 information concerning an individual who is not
18 a customer, client, or an employee of that entity
19 in order to sell the information or otherwise
20 profit from providing third-party access to the
21 information.

22 (B) EXCLUSION.—The term “data broker”
23 does not include a commercial entity engaged in
24 the following activities:

1 (i) Engaging in reporting, news-gath-
2 ering, speaking, or other activities intended
3 to inform the public on matters of public
4 interest or public concern.

5 (ii) Providing 411 directory assistance
6 or directory information services, including
7 name, address, and telephone number, on
8 behalf of or as a function of a tele-
9 communications carrier.

10 (iii) Using personal information inter-
11 nally, providing access to businesses under
12 common ownership or affiliated by cor-
13 porate control, or selling or providing data
14 for a transaction or service requested by or
15 concerning the individual whose personal
16 information is being transferred.

17 (iv) Providing publicly available infor-
18 mation via real-time or near-real-time alert
19 services for health or safety purposes.

20 (v) A consumer reporting agency sub-
21 ject to the Fair Credit Reporting Act (15
22 U.S.C. 1681 et seq.).

23 (vi) A financial institution to subject
24 to the Gramm-Leach-Bliley Act (Public

1 Law 106–102) and regulations imple-
2 menting that Act.

3 (vii) A covered entity for purposes of
4 the privacy regulations promulgated under
5 section 264(c) of the Health Insurance
6 Portability and Accountability Act of 1996
7 (42 U.S.C. 1320d-2 note).

8 (viii) The collection and sale or licens-
9 ing of covered information incidental to
10 conducting the activities described in
11 clauses (i) through (vii).

12 (4) FEDERAL JUDGE.—The term “Federal
13 judge” means—

14 (A) a justice of the United States or a
15 judge of the United States, as those terms are
16 defined in section 451 of title 28, United States
17 Code;

18 (B) a bankruptcy judge appointed under
19 section 152 of title 28, United States Code;

20 (C) a United States magistrate judge ap-
21 pointed under section 631 of title 28, United
22 States Code;

23 (D) a judge confirmed by the United
24 States Senate and empowered by statute in any

1 commonwealth, territory, or possession to per-
2 form the duties of a Federal judge;

3 (E) a judge of the United States Court of
4 Federal Claims appointed under section 171 of
5 title 28, United States Code;

6 (F) a judge of the United States Court of
7 Appeals for Veterans Claims appointed under
8 section 7253 of title 38, United States Code;

9 (G) a judge of the United States Court of
10 Appeals for the Armed Forces appointed under
11 section 942 of title 10, United States Code;

12 (H) a judge of the United States Tax
13 Court appointed under section 7443 of the In-
14 ternal Revenue Code of 1986; and

15 (I) a special trial judge of the United
16 States Tax Court appointed under section
17 7443A of the Internal Revenue Code of 1986.

18 (5) GOVERNMENT AGENCY.—The term “Gov-
19 ernment agency” includes—

20 (A) an Executive agency, as defined in sec-
21 tion 105 of title 5, United States Code; and

22 (B) any agency in the judicial branch or
23 legislative branch.

24 (6) IMMEDIATE FAMILY.—The term “immediate
25 family” means a spouse, child, or parent of an at-

1 risk individual or any other familial relative of an at-
2 risk individual whose permanent residence is the
3 same as the at-risk individual.

4 (7) SOCIAL MEDIA.—The term “social media”
5 means any online electronic medium, a live-chat sys-
6 tem, or an electronic dating service—

7 (A) that primarily serves as a medium for
8 users to interact with content generated by
9 other third-party users of the medium;

10 (B) that enables users to create accounts
11 or profiles specific to the medium or to import
12 profiles from another medium; and

13 (C) that enables one or more users to gen-
14 erate content that can be viewed by other third-
15 party users of the medium.

16 (8) TRANSFER.—The term “transfer” means to
17 sell, license, trade, or exchange for consideration the
18 covered information of an at-risk individual or im-
19 mediate family.

20 **SEC. 4. PROTECTING COVERED INFORMATION IN PUBLIC**
21 **RECORDS.**

22 (a) GOVERNMENT AGENCIES.—

23 (1) IN GENERAL.—Each at-risk individual
24 may—

1 (A) file written notice of the status of the
2 individual as an at-risk individual, for them-
3 selves and immediate family, with each Govern-
4 ment agency that includes information nec-
5 essary to ensure compliance with this section,
6 as determined by the Administrative Office of
7 the United States Courts; and

8 (B) request that each Government agency
9 described in subparagraph (A) mark as private
10 their covered information and that of their im-
11 mediate family.

12 (2) NO PUBLIC POSTING.—Government agen-
13 cies shall not publicly post or display publicly avail-
14 able content that includes covered information of an
15 at-risk individual or immediate family. Government
16 agencies, upon receipt of a written request under
17 paragraph (1)(A), shall remove the covered informa-
18 tion of the at-risk individual or immediate family
19 from publicly available content not later than 72
20 hours after such receipt.

21 (3) EXCEPTIONS.—Nothing in this section shall
22 prohibit a Government agency from providing access
23 to records containing the covered information of a
24 Federal judge to a third party if the third party—

1 (A) the third party possesses a signed re-
2 lease from the Federal judge or a court order;

3 (B) the third party is subject to the re-
4 quirements of title V of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 et seq.); or

5 (C) the third party executes a confiden-
6 tiality agreement with the Government agency.

7 (b) DELEGATION OF AUTHORITY.—

8 (1) IN GENERAL.—

9 (A) ADMINISTRATIVE OFFICE OF THE
10 UNITED STATES COURTS.—Upon written re-
11 quest of an at-risk individual, the Director of
12 the Administrative Office of the United States
13 Courts is authorized to make any notice or re-
14 quest required or authorized by this section on
15 behalf of the at-risk individual. The notice or
16 request shall include information necessary to
17 ensure compliance with this section, as deter-
18 mined by the Administrative Office of the
19 United States Courts. The Director may dele-
20 gate this authority under section 602(d) of title
21 28, United States Code. Any notice or request
22 made under this subsection shall be deemed to
23 have been made by the at-risk individual and
24

1 comply with the notice and request require-
2 ments of this section.

3 (B) UNITED STATES COURT OF APPEALS
4 FOR VETERANS CLAIMS.—Upon written request
5 of an at-risk individual described in section
6 3(4)(F), the chief judge of the United States
7 Court of Appeals for Veterans Claims is author-
8 ized to make any notice or request required or
9 authorized by this section on behalf of the at-
10 risk individual. Any notice or request made
11 under this subsection shall be deemed to have
12 been made by the at-risk individual and comply
13 with the notice and request requirements of this
14 section.

15 (C) UNITED STATES COURT OF APPEALS
16 FOR THE ARMED FORCES.—Upon written re-
17 quest of an at-risk individual described in sec-
18 tion 3(4)(G), the chief judge of the United
19 States Court of Appeals for the Armed Forces
20 is authorized to make any notice or request re-
21 quired or authorized by this section on behalf of
22 the at-risk individual. Any notice or request
23 made under this subsection shall be deemed to
24 have been made by the at-risk individual and

1 comply with the notice and request require-
2 ments of this section.

3 (D) UNITED STATES TAX COURT.—Upon
4 written request of an at-risk individual de-
5 scribed in subparagraph (H) or (I) of section
6 3(4), the chief judge of the United States Tax
7 Court is authorized to make any notice or re-
8 quest required or authorized by this section on
9 behalf of the at-risk individual. Any notice or
10 request made under this subsection shall be
11 deemed to have been made by the at-risk indi-
12 vidual and comply with the notice and request
13 requirements of this section.

14 (2) LIST.—In lieu of individual notices or re-
15 quests, the Director of the Administrative Office of
16 the United States Courts, or a Federal judge de-
17 scribed in subparagraph (F), (G), (H), or (I) of sec-
18 tion 3(4), as applicable, may provide Government
19 agencies, State and local governments, data brokers,
20 persons, businesses, or associations with a list of at-
21 risk individuals and their immediate family that in-
22 cludes information necessary to ensure compliance
23 with this section, as determined by the Administra-
24 tive Office of the United States Courts for the pur-
25 pose of maintaining compliance with this section.

1 Such list shall be deemed to comply with individual
2 notice and request requirements of this section.

3 (c) STATE AND LOCAL GOVERNMENTS.—

4 (1) GRANT PROGRAM TO PREVENT DISCLOSURE
5 OF PERSONAL INFORMATION OF AT-RISK INDIVID-
6 UALS OR IMMEDIATE FAMILY.—

7 (A) AUTHORIZATION.—The Attorney Gen-
8 eral may make grants to prevent the release of
9 covered information of at-risk individuals and
10 immediate family (in this subsection referred to
11 as “judges’ covered information”) to the det-
12 riment of such individuals or their families to
13 an entity that—

14 (i) is—

15 (I) a State or unit of local gov-
16 ernment, as defined in section 901 of
17 the Omnibus Crime Control and Safe
18 Streets Act of 1968 (34 U.S.C.
19 10251); or

20 (II) an agency of a State or unit
21 of local government; and

22 (ii) operates a State or local database
23 or registry that contains covered informa-
24 tion.

1 (B) APPLICATION.—An entity seeking a
2 grant under this section shall submit to the At-
3 torney General an application at such time, in
4 such manner, and containing such information
5 as the Attorney General may reasonably re-
6 quire.

7 (2) SCOPE OF GRANTS.—Grants made under
8 this subsection may be used to create or expand pro-
9 grams designed to protect judges' covered informa-
10 tion, including through—

11 (A) the creation of programs to redact or
12 remove judges' covered information, upon the
13 request of an at-risk individual, from public
14 records in State agencies, including hiring a
15 third party to redact or remove judges' covered
16 information from public records;

17 (B) the expansion of existing programs
18 that the State may have enacted in an effort to
19 protect judges' covered information;

20 (C) the development or improvement of
21 protocols, procedures, and policies to prevent
22 the release of judges' covered information;

23 (D) the defrayment of costs of modifying
24 or improving existing databases and registries

1 to ensure that judges' covered information is
2 covered from release; and

3 (E) the development of confidential opt out
4 systems that will enable at-risk individuals to
5 make a single request to keep judges' covered
6 information out of multiple databases or reg-
7 istries.

8 (3) REPORT.—

9 (A) IN GENERAL.—Not later than 1 year
10 after the date of enactment of this Act, and bi-
11 ennially thereafter, the Comptroller General of
12 the United States, shall submit to the Com-
13 mittee on the Judiciary of the Senate and the
14 Committee on the Judiciary of the House of
15 Representatives an annual report that in-
16 cludes—

17 (i) a detailed amount spent by States
18 and local governments on protecting
19 judges' covered information;

20 (ii) where the judges' covered infor-
21 mation was found; and

22 (iii) the collection of any new types of
23 personal data found to be used to identify
24 judges who have received threats, including
25 prior home addresses, employers, and insti-

1 tutional affiliations such as nonprofit
2 boards.

3 (B) STATES AND LOCAL GOVERNMENTS.—

4 States and local governments that receive funds
5 under this section shall submit to the Comp-
6 troller General of the United States a report on
7 data described in clauses (i) and (ii) of sub-
8 paragraph (A) to be included in the report re-
9 quired under that subparagraph.

10 (d) DATA BROKERS AND OTHER BUSINESSES.—

11 (1) PROHIBITIONS.—

12 (A) DATA BROKERS.—It shall be unlawful
13 for a data broker to knowingly sell, license,
14 trade for consideration, or purchase covered in-
15 formation of an at-risk individual or immediate
16 family.

17 (B) OTHER BUSINESSES.—

18 (i) IN GENERAL.—Except as provided
19 in clause (ii), no person, business, or asso-
20 ciation shall publicly post or publicly dis-
21 play on the internet covered information of
22 an at-risk individual or immediate family if
23 the at-risk individual has made a written
24 request to that person, business, or asso-
25 ciation to not disclose the covered informa-

1 tion of the at-risk individual or immediate
2 family.

3 (ii) EXCEPTIONS.—Clause (i) shall
4 not apply to—

5 (I) the display on the internet of
6 the covered information of an at-risk
7 individual or immediate family if the
8 information is relevant to and dis-
9 played as part of a news story, com-
10 mentary, editorial, or other speech on
11 a matter of public concern;

12 (II) covered information that the
13 at-risk individual voluntarily publishes
14 on the internet after the date of en-
15 actment of this Act; or

16 (III) covered information received
17 from a Federal Government source
18 (or from an employee or agent of the
19 Federal Government).

20 (2) REQUIRED CONDUCT.—

21 (A) IN GENERAL.—After receiving a writ-
22 ten request under paragraph (1)(B), the per-
23 son, business, or association shall—

24 (i) remove within 72 hours the cov-
25 ered information from the internet and en-

1 sure that the information is not made
2 available on any website or subsidiary
3 website controlled by that person, business,
4 or association; and

5 (ii) ensure that the covered informa-
6 tion of the at-risk individual or immediate
7 family is not made available on any website
8 or subsidiary website controlled by that
9 person, business, or association.

10 (B) TRANSFER.—

11 (i) IN GENERAL.—Except as provided
12 in clause (ii), after receiving a written re-
13 quest under paragraph (1)(B), the person,
14 business, or association shall not transfer
15 the covered information of the at-risk indi-
16 vidual or immediate family to any other
17 person, business, or association through
18 any medium.

19 (ii) EXCEPTIONS.—Clause (i) shall
20 not apply to—

21 (I) the transfer of the covered in-
22 formation of the at-risk individual or
23 immediate family if the information is
24 relevant to and displayed as part of a
25 news story, commentary, editorial, or

1 other speech on a matter of public
2 concern;

3 (II) covered information that the
4 at-risk individual or immediate family
5 voluntarily publishes on the internet
6 after the date of enactment of this
7 Act; or

8 (III) the transfer is at the re-
9 quest of the at-risk individual or is
10 necessary to effectuate a request to
11 the person, business, or association
12 from the at-risk individual.

13 (e) REDRESS AND PENALTIES.—

14 (1) IN GENERAL.—An at-risk individual or their
15 immediate family whose covered information is made
16 public as a result of a violation of this Act may
17 bring an action seeking injunctive or declaratory re-
18 lief in any court of competent jurisdiction. If the
19 court grants injunctive or declaratory relief, the per-
20 son, business, or association responsible for the vio-
21 lation shall be required to pay the costs and reason-
22 able attorney's fees of the at-risk individual or im-
23 mediate family, as applicable.

24 (2) PENALTIES AND DAMAGES.—If a person,
25 business, or association knowingly violates an order

1 granting injunctive or declarative relief under para-
2 graph (1), the court issuing such order may—

3 (A) if the person, business, or association
4 is a government agency—

5 (i) impose a fine not greater than
6 \$4,000; and

7 (ii) award to the at-risk individual or
8 their immediate family, as applicable, court
9 costs and reasonable attorney's fees;

10 (B) if the person, business, or association
11 is not a government agency, award to the at-
12 risk individual or their immediate family, as ap-
13 plicable—

14 (i) an amount equal to the actual
15 damages sustained by the at-risk individual
16 or their immediate family; and

17 (ii) court costs and reasonable attor-
18 ney's fees.

19 **SEC. 5. TRAINING AND EDUCATION.**

20 Amounts appropriated to the Federal judiciary for
21 fiscal year 2022, and each fiscal year thereafter may be
22 used for biannual judicial security training for active, sen-
23 ior, or recalled Federal judges described in subparagraph
24 (A), (B), (C), (D), or (E) of section 3(4) and their imme-
25 diate family, including—

1 (1) best practices for using social media and
2 other forms of online engagement and for maintain-
3 ing online privacy;

4 (2) home security program and maintenance;

5 (3) understanding removal programs and re-
6 quirements for covered information; and

7 (4) any other judicial security training that the
8 United States Marshals Services and the Adminis-
9 trative Office of the United States Courts deter-
10 mines is relevant.

11 **SEC. 6. VULNERABILITY MANAGEMENT CAPABILITY.**

12 (a) AUTHORIZATION.—

13 (1) VULNERABILITY MANAGEMENT CAPA-
14 BILITY.—The Federal judiciary is authorized to per-
15 form all necessary functions consistent with the pro-
16 visions of this Act and to support existing threat
17 management capabilities within the United States
18 Marshals Service and other relevant Federal law en-
19 forcement and security agencies for Federal judges
20 described in subparagraphs (A), (B), (C), (D), and
21 (E) of section 4(3), including—

22 (A) monitoring the protection of at-risk in-
23 dividuals and judiciary assets;

24 (B) managing the monitoring of websites
25 for covered information of at-risk individuals or

1 immediate family and remove or limit the publi-
2 cation of such information;

3 (C) receive, review, and analyze complaints
4 by at-risk individuals of threats, whether direct
5 or indirect, and report such threats to law en-
6 forcement partners; and

7 (D) providing training described in section
8 5.

9 (2) VULNERABILITY MANAGEMENT FOR CER-
10 TAIN ARTICLE I COURTS.—The functions and sup-
11 port authorized in paragraph (1) shall be authorized
12 as follows:

13 (A) The chief judge of the United States
14 Court of Appeals for Veterans Claims is author-
15 ized to perform such functions and support for
16 the Federal judges described in section 3(4)(F).

17 (B) The United States Court of Appeals
18 for the Armed Forces is authorized to perform
19 such functions and support for the Federal
20 judges described in section 3(4)(G).

21 (C) The United States Tax Court is au-
22 thorized to perform such functions and support
23 for the Federal judges described in subpara-
24 graphs (H) and (I) of section 3(4).

1 (3) TECHNICAL AND CONFORMING AMEND-
2 MENT.—Section 604(a) of title 28, United States
3 Code is amended—

4 (A) in paragraph (23), by striking “and”
5 at the end;

6 (B) by redesignating paragraph (24) as
7 paragraph (25);

8 (C) by inserting after paragraph 23 the
9 following:

10 “(24) Establish and administer a vulnerability
11 management program in the judicial branch; and”.

12 (b) EXPANSION OF CAPABILITIES OF OFFICE OF
13 PROTECTIVE INTELLIGENCE.—The United States Mar-
14 shals Service is authorized to expand the current capabili-
15 ties of the Office of Protective Intelligence of the Judicial
16 Security Division to increase the workforce of the Office
17 of Protective Intelligence to include additional intelligence
18 analysts, United States deputy marshals, and any other
19 relevant personnel to ensure that the Office of Protective
20 Intelligence is ready and able to perform all necessary
21 functions, consistent with the provisions of this Act, in
22 order to anticipate and deter threats to the judiciary, in-
23 cluding—

24 (1) assigning personnel to State and major
25 urban area fusion and intelligence centers for the

1 specific purpose of identifying potential threats
2 against the judiciary and coordinating responses to
3 such potential threats;

4 (2) expanding the use of investigative analysts,
5 physical security specialists, and intelligence analysts
6 at the 94 judicial districts and territories to enhance
7 the management of local and distant threats and in-
8 vestigations; and

9 (3) increasing the number of United States
10 Marshal Service personnel for the protection of the
11 judicial function and assigned to protective oper-
12 ations and details for the judiciary.

13 (c) REPORT.—

14 (1) IN GENERAL.—Not later than 1 year after
15 the date of enactment of this Act, the Department
16 of Justice, in consultation with the Administrative
17 Office of the United States Courts, the United
18 States Court of Appeals for Veterans Claims, the
19 United States Court of Appeals for the Armed
20 Forces, and the United States Tax Court, shall sub-
21 mit to the Committee on the Judiciary of the Senate
22 and the Committee on the Judiciary of the House of
23 Representatives a report on the security of Federal
24 judges arising from Federal prosecutions and civil
25 litigation.

1 (2) DESCRIPTION.—The report required under
2 paragraph (1) shall describe—

3 (A) the number and nature of threats and
4 assaults against at-risk individuals handling
5 prosecutions and other matters described in
6 paragraph (1) and the reporting requirements
7 and methods;

8 (B) the security measures that are in place
9 to protect at-risk individuals handling prosecu-
10 tions described in paragraph (1), including
11 threat assessments, response procedures, the
12 availability of security systems and other de-
13 vices, firearms licensing such as deputations,
14 and other measures designed to protect the at-
15 risk individuals and their immediate family; and

16 (C) for each requirement, measure, or pol-
17 icy described in subparagraphs (A) and (B),
18 when the requirement, measure, or policy was
19 developed and who was responsible for devel-
20 oping and implementing the requirement, meas-
21 ure, or policy.

22 **SEC. 7. RULES OF CONSTRUCTION.**

23 (a) IN GENERAL.—Nothing in this Act shall be con-
24 strued—

25 (1) to prohibit, restrain, or limit—

1 (A) the lawful investigation or reporting by
2 the press of any unlawful activity or misconduct
3 alleged to have been committed by an at-risk in-
4 dividual or their immediate family; or

5 (B) the reporting on an at-risk individual
6 or their immediate family regarding matters of
7 public concern;

8 (2) to impair access to decisions and opinions
9 from a Federal judge in the course of carrying out
10 their public functions;

11 (3) to limit the publication or transfer of cov-
12 ered information that the at-risk individual or their
13 immediate family member voluntarily publishes on
14 the internet after the date of enactment of this Act;
15 or

16 (4) to prohibit information sharing by a data
17 broker to a Federal, State, Tribal, or local govern-
18 ment, or any unit thereof.

19 (b) PROTECTION OF COVERED INFORMATION.—This
20 Act shall be broadly construed to favor the protection of
21 the covered information of at-risk individuals and their im-
22 mediate family.

23 **SEC. 8. SEVERABILITY.**

24 If any provision of this Act, an amendment made by
25 this Act, or the application of such provision or amend-

1 ment to any person or circumstance is held to be unconsti-
2 tutional, the remainder of this Act and the amendments
3 made by this Act, and the application of the remaining
4 provisions of this Act and amendments to any person or
5 circumstance shall not be affected.

6 **SEC. 9. EFFECTIVE DATE.**

7 (a) IN GENERAL.—Except as provided in subsection
8 (b), this Act shall take effect on the date of enactment
9 of this Act.

10 (b) EXCEPTION.—Subsections (c)(1), (d), and (e) of
11 section 4 shall take effect on the date that is 120 days
12 after the date of enactment of this Act.